IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO: 20051 of 2004

Between:

1 Smt. Mallamma, W/o Late Pochaiah, aged about 58 years
2 Anjamma, D/o Late Pochaiah, aged 38 years
3 Padma D/o Late Pochaiah, aged about 37 years
4 Anjaneyulu, S/o Late Pochaiah, aged about 34 years
5 Lakshmi, D/o Late Pochaiah, aged about 33 years
6 Swapna D/o Late Pochaiah, aged about 29 years
7 Varalakshmi, D/o Late Pochaiah, aged about 26 years
8 B. Ramesh, S/o Late Pochaiah, aged about 24 years

All are cultivators and residing at Shaikpet, Gachibowli, Seri Lingampalli (M), R.R. District; Petitioners 1 to 8 are repd. by their two GPA Holders.

1. D. Malla Reddy,
R/o 3-6-369/A/17,St.No.1,Hyd.

2. T.Narayana, R/o 1-2-551, Rose Colony, Domalaguda,Hyd.

... PETITIONERS

AND

1 The State of Andhra Pradesh, rep. by the Secretary,
Revenue Department, Secretariat Buildings, Hyderabad.
2 The Special Officer and Competent Authorithy, Urban Land Ceiling,

Hyderabad Office at Chandra Vihar, M.J. Road, Hyderabad.

3 The District Collector, Ranga Reddy District, Office at Lakadikapool,

Hyderabad.
4 The Deputy Collector and Mandal Revenue Officer, Serilingampalli Mandal,

R.R. District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, order or direction, in the nature of Mandamus, declaring the inaction on the part of the respondent authorities in not passing orders on the declaration filed by late Pochaiah, father of the petitioners 2 to 8 and husband of Petititioner No.1 numbered as C.C.No. 14/1977 on the file of the 2nd respondent herein, filed under Section 6 of the Urban Land (Ceiling and Regulation) Act, 33 of 1976 is illegal, arbitrary, capricious malafide.

Counsel for Petitioners: MRSYED SHAREEF AHMED

Counsel for Respondents: GP FOR REVENUE

The Court, at the admission stage, made the following:

ORDER:

Heard the learned counsel for petitioners and also the learned Government Pleader appearing for the respondents.

2. The only grievance ventilated by the petitioners in the present writ petition is that late Pochaiah, from whom the petitioners are claiming the property, filed declaration under Section 6 of the Urban Land (Ceiling and Regulation) Act, 1976 (for short 'the Act') in C.C.No.14 of 1977 on the file of the second respondent and the said declaration has not yet been finalized by issuing final settlement under Sections 8(4) and 9 of the Act.

3. Learned Government Pleader, who took time to ascertain whether such declaration is still pending on the file of second respondent, submits that she could not obtain necessary instructions from the second respondent.

4. In view of the same, second respondent is hereby directed to dispose of the declaration, said to have been filed by late Pochaiah – husband of first petitioner and father of other petitioners, in C.C.No.14 of 1977 if not already disposed of and pass final orders thereon. If final orders have already been passed, the same should be communicated to the petitioners.

The writ petition is accordingly disposed of.

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A. **GOPAL REDDY, J**

November 10, 2004

MRR

ASSISTANT REGISTRAR

// TRUE COPY//

SECTION OFFICER

To:

1 The Secretary, Revenue Department, State of Andhra Pradesh, Secretariat Buildings, Hyderabad.

2 The Special Officer and Competent Authorithy, Urban Land Ceiling,

Hyderabad Office at Chandra Vihar, M.J. Road, Hyderabad.
3 The District Collector, Ranga Reddy District, Office at Lakadikapool,

Hyderabad.
4 The Deputy Collector and Mandal Revenue Officer, Serilingampalli

Mandal, R.R. District.

5 Two C.C. s to the G.P. for Revenue, High Court Buildings, Hyderabad

(OUT)

6 Two C.D. Copies.